

January 28, 2004

REQUEST FOR PROPOSAL

The Town of Davie is accepting proposals from qualified firms until 2:00 p.m. on Tuesday, June 8, 2004 for:

DEVELOPMENT OF CRA PROPERTY, B-04-04.

Complete bid specifications may be obtained from Herb Hyman, Procurement Manager, 6591 Orange Drive, Davie, Florida 33314. Phone (954) 797-1016.

A pre-submittal conference will be held on Wednesday, April 14, 2004 at 10 a.m. at the offices of the Davie CRA located at 4700 Davie Rd., Suite C, Davie, FL 33314-3399.

Interested parties must submit an original and eight (8) copies of their proposal. Sealed proposals should be marked with the name and number and boldly marked "SEALED PROPOSAL". All sealed proposals should be delivered to the Purchasing Division, 6591 Orange Drive, Davie, Florida 33314. Proposals will be opened on or about 2:00 p.m., Tuesday, June 8, 2004, at the Davie Town Hall. Any proposals received after the specified due date and time will be rejected and returned unopened. This will be a public opening.

The Town of Davie reserves the right to reject any and/or all proposals.

Town of Davie
Herb Hyman, CPPB
Procurement Manager

REQUEST FOR DEVELOPMENT PROPOSALS
FOR
PRIVATE REDEVELOPMENT OPPORTUNITIES ON CRA-OWNED LAND IN
THE
TOWN OF DAVIE COMMUNITY REDEVELOPMENT DISTRICT
DAVIE, FLORIDA

Submissions are due at 2:00 P.M. on Tuesday, June 8, 2004 at:

**Town of Davie Purchasing Department
6591 Orange Drive
Davie, Florida 33314-3399**

**All proposal submission packages should be clearly sealed and marked
“Redevelopment of CRA Property”**

**THE RESPONSIBILITY FOR SUBMITTING A RESPONSE TO THIS
PROPOSAL TO THE TOWN OF DAVIE PURCHASING DEPARTMENT ON OR
BEFORE THE STATED TIME AND DATE WILL BE SOLELY AND STRICTLY
THE RESPONSIBILITY OF THE PROPOSER. THE AGENCY WILL NOT BE
RESPONSIBLE FOR DELAYS CAUSED BY THE UNITED STATES MAIL
DELIVERY OR OTHER DELIVERY SERVICE.**

RFP Issued on Friday, January 30, 2004

FIGURE 1—MAP OF THE PROPERTY IN THE DAVIE AREA

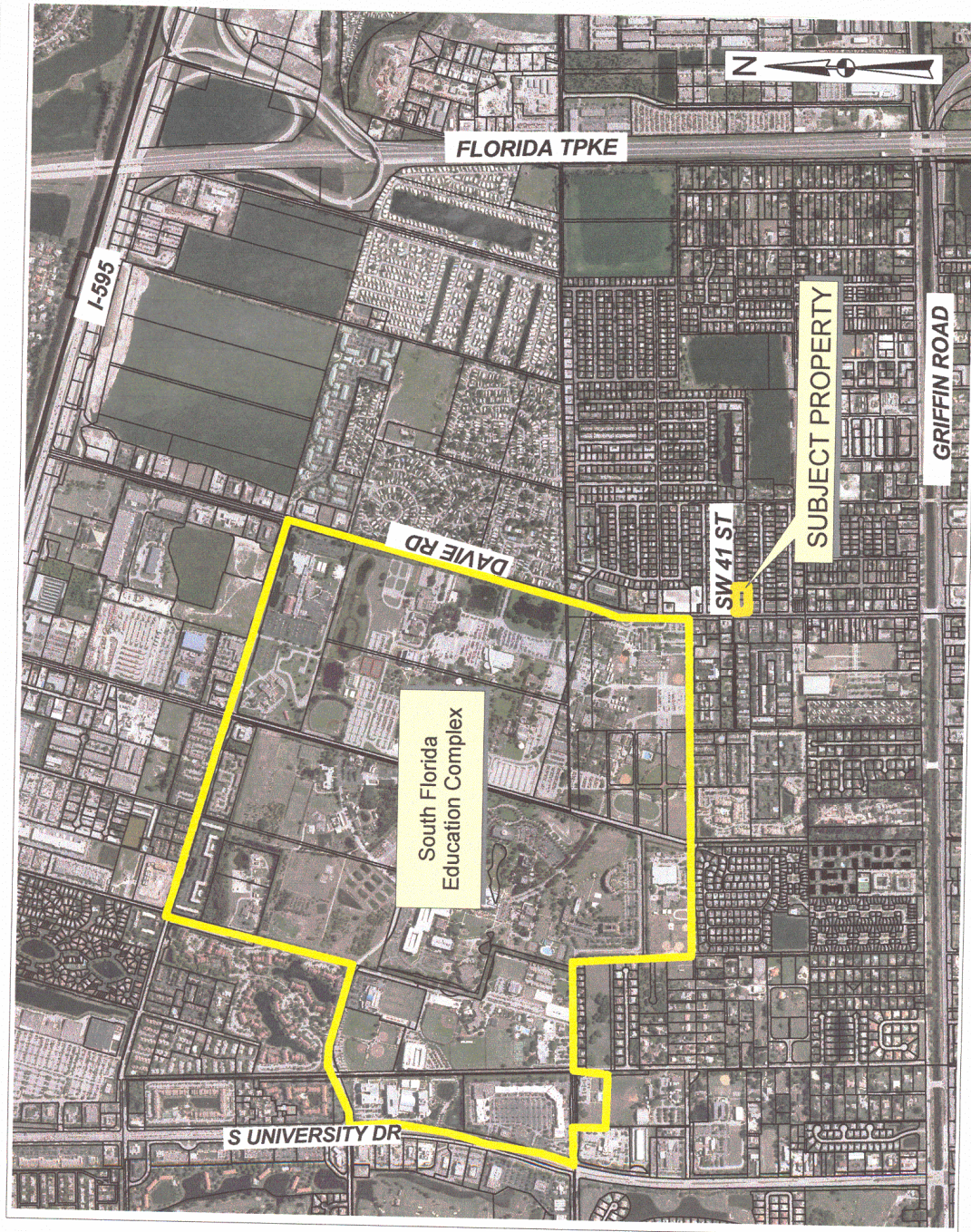


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I. Invitation

The Community Redevelopment Agency of the Town of Davie ("CRA") hereby requests development proposals from interested private parties for the purchase or the long term lease of property owned by the CRA. The property consists of vacant land in the downtown Davie area at the southeast corner of Davie Road and SW 41st Street. The CRA is vested by the State of Florida pursuant to its powers under Florida Statutes, Chapter 163, Part III, the Community Redevelopment Act of 1969, as amended, with the authority to request proposals for the redevelopment of an area within its district in order to effectuate redevelopment pursuant to the goals and objectives of the CRA Redevelopment Plan.

Factors that the CRA will use in judging the proposals include, but are not limited to, the proposer's experience and financing capabilities, the number of parking spaces being proposed for use by the public and by the proposed project, the number of new jobs being created, the quality of planning, urban design, and architecture, the proposed land uses, the economic impact on other businesses in the downtown, and the effect the project will have on the CRA's tax increment revenues. Upon receipt of an acceptable proposal and a negotiated contract with the successful proposer, the CRA will close on the property as described in the Request for Proposals ("RFP").

Proposers should submit one (1) original and eight (8) copies, sealed and marked on the outside of the package, "Redevelopment of CRA Property," delivered to the office of the Town of Davie Purchasing Department located at 6591 Orange Drive, Davie, Florida 33314-3399, on or before 2:00 P.M. on Tuesday, June 8, 2004.

The CRA's preference for redevelopment is for mixed-use, including retail and residential. Redevelopment proposals may include a mixed-use with office. Prospective developers may propose to construct public parking in addition to their own parking and such public parking proposal should include any financial conditions of CRA participation in the development of public parking.

The architectural style of the project should be compatible with the Western Theme architectural standards.



View of Site from Davie Road and SW 41st Street

II. Description of the Request for Proposals

A. Location and Legal Description of the Properties

1. Address: Southeast corner of the intersection of Davie Road and SW 41st Street;
Owner: Davie CRA
Legal Description: refer to survey

B. Land Use Regulations

Pursuant to the Town of Davie Land Development Regulations, use of the property is limited to those uses permitted in the Western Theme Overlay District. A copy of permitted uses is available upon request. The proposer should consider land uses on the ground floor facing the public streets which have the greatest impact for downtown retailing.

The Western Theme Overlay District sets a height limitation of 3 stories or 45 feet, whichever is less. A height of 60 feet can be obtained by a conditional use approval. The CRA Redevelopment Plan encourages mixed-use development, and Proposers should confer with the Town of Davie Department of Development Services concerning any changes or contemplated changes to the Land Development Regulations. The CRA is

currently revising the Western Theme District regulations and will submit their recommendations to the Town Planning Department within a few months.

C. CRA Redevelopment Plan

The property being offered is located within the CRA Redevelopment District. The redevelopment objectives for the CRA are described in the CRA Redevelopment Plan, a copy of which is available at the offices of the CRA for a price of twenty-five dollars (\$25.00).

D. Streets and Alleyways

The property is bounded by Davie Road and SW 41st Street. These are public streets, and no improvements are contemplated being made to the streets by the Town of Davie. Davie Road is owned by Broward County. However, the proposer may suggest street improvements that enhance the proposed development, particularly SW 41st Street. Alleyways are not in existence in the blocks within which the properties are located.

E. Aerial Photograph

A recent aerial photograph of the area in which the property is located is provided herein. Additional copies are available at the office of the CRA.

F. Survey

The CRA will provide a recent printed survey of the properties being offered. There is no charge for the survey. In addition a survey on a diskette, AutoCAD Version XIV, is also available.

G. Environmental Audit

The CRA will provide a recent "Phase I" environmental audit of the properties being offered. However, the Proposer will be responsible for performing its own inspections and due diligence with respect to all matters including environmental. The cost of a copy of the audit is fifteen dollars (\$15.00).

H. Broward County Impact Fees

Broward County levies impact fees for commercial, residential, and other uses. The property being offered in this proposal will be subject to impact fees, with the exception of traffic impact fees, which are exempt in the Davie Regional Activity Center. Proposers are encouraged to contact the County to determine the impact fees that may be charged for a proposer's project. Please contact Development Management Services at 954-357-6666.

I. Town of Davie Utility Connection Fees

The Town of Davie may charge a utility connection fee for the project. Proposers are encouraged to contact Dan Colabella at 954-433-4000 to determine the potential charges.

The utility services including water, sewer and drainage, are located within the right of way of the public streets. Please contact Larry Peters, City Engineer, at 954-797-1114 for information concerning the location of the utilities.

J. Storm Water Retention. The water management district will likely require that storm water runoff be retained on the site. Proposers are encouraged to contact Michael Crowley, District Manager, Central Broward Water Control District at 954-432-5110 for an explanation of the storm water retention requirements.

K. Appraisal

The CRA will provide a recent appraisal of the property being offered for sale. The properties were appraised for \$ 357,000 in 2001. A copy of the appraisal may be purchased for five dollars (\$5.00).

L. Broker

The CRA will pay a commission to a Florida licensed real estate broker in the amount of 3.0% of the agreed upon sales price only if the property sale is consummated to the broker's client. The broker must register its client on the enclosed registration form which the client must acknowledge in writing in order to be eligible to receive a commission. Notwithstanding the foregoing, no commission will be paid to a broker who is affiliated with or related to a proposer as a developer.

M. Bid Bond

The proposer must submit with his proposal a Bid Bond from an acceptable surety or a cash sum represented by a cashier's check in favor of the CRA in an amount equal to five percent of the offering price. In no case shall the bid bond be less than fifteen thousand dollars (\$15,000). The initial bid bond will be returned after one hundred twenty (120) days from the date of delivery to any proposer who has not been selected to negotiate a contract with the CRA during that period or with any proposer with who any negotiations have been terminated. For the successful proposer, the bid bond will be returned at the time of contracting for the property and a deposit has been made as part of the contract.

N. Deposit

The contract for purchase between the CRA and the successful proposer will require a deposit at the time of execution. The proposer must provide a deposit equal to ten percent (10%) of the agreed upon purchase price but in no case less than thirty five thousand dollars (\$35,000.00).

O. Proposal Content

The following describes certain information that the CRA will require for the proposal. The proposer should submit one (1) original and eight (8) copies, one of which is to be unbound, which describe the proposed project.

1. The proposer must state the anticipated use of the proposed redevelopment project. The uses must be currently permissible under the Town of Davie Land Development Regulations. Specify the square footage of the total project and the breakdown of each land use.
2. If the proposer anticipates that the predominant use of the project will be hotel or residential, then the proposer must submit, in order to demonstrate that the project is feasible, the anticipated absorption rate for the project, the anticipated mix of unit types, the projected rent (in case of a rental apartment project or room rate in the case of a hotel project), or the projected sales price (in the case of a for-sale project). If accessory uses include retail and/or office, then the proposer should submit the anticipated absorption, projected rents, and types of retail users. If the proposer is successful in being ranked to negotiate for the acquisition of the property, then the proposer must submit, prior to the signing of the Contract for Sale and Purchase, a market study justifying the feasibility of the project. The study must be performed by a professional engaged in the business of real estate market research and/or commercial real estate appraising. If an appraiser is utilized, then he or she must be licensed in the State of Florida.
3. If the proposer anticipates that the predominant use of the project will be office, retail or a mix of both, then the proposer must submit, in order to demonstrate that the project is feasible, the anticipated absorption rate for the project, the anticipated mix of unit types, the projected rent (in case of a rental project), or the projected sales price (in the case of a for-sale project). If the proposer is successful in being ranked to negotiate for the acquisition of the property, then the proposer must submit, prior to the signing of the Contract for Sale and Purchase, a market study justifying the feasibility of the project. The study must be performed by a professional engaged in the business of real estate market research and/or commercial real estate appraising. If an appraiser is utilized, then he or she must be licensed in the State of Florida.
4. The proposer must submit an illustrative site plan and one or two elevations on a display board measuring of 24" by 36" of the proposed redevelopment project at a scale of one inch equals twenty feet (1" = 20"). The site plan should include, as a minimum, the location of proposed building(s) and the public streets surrounding the site. Parking, sidewalks, and major landscaping features should be illustrated. In addition the Proposer should reduce the site plan to a format measuring 8 ½" by 11" or 11" by 17" for ease of review.

5. The proposer must submit floor plans of the proposed buildings on a display board measuring 24" by 36". The Proposer may choose an architectural scale appropriate to communicate the concept of the proposed project. In addition the Proposer should reduce the elevations and floor plans to a format measuring 8 ½" by 11" or 11" by 17" for ease of review.
6. The Proposer must state the offering price of the property. The offering should state the terms of payment, the anticipated closing date, and any conditions, contingencies, and additional requirements that affect the purchase.
7. The Proposer must submit a time schedule for the completion of the project including the building, parking, and off-site improvements. If the project is to be redeveloped in phases, then the time schedule should reflect the phases.
8. The Proposer must submit a total project cost analysis stating, by category, the major elements of the project. The major cost items shall include, as a minimum, land costs, building costs, tenant improvement costs, parking costs, landscaping costs, architectural and engineering costs, marketing costs, financing costs, and any other significant costs.
9. The Proposer must submit a financing plan which may include a preliminary financing commitment letter from a lending institution or other primary source of investment financing for the construction of the project. The financing plan must also account for all debt and equity investment required to fund the project. A firm financing commitment from a lending institution or other source of investment financing must be provided prior to the closing of the sale of the land and within sixty (60) days after the execution of the contract.
10. The Proposer must submit information which permits an understanding of the Proposer's organizational structure, its members, qualifications, and financial strength. The CRA reserves the right to research the background of each principal with respect to both credit and police records. The Proposer must submit a signed consent form, attached herein, as part of the proposal. The following information is required in the submission for this paragraph.
 - a. Description of the legal organizational structure of the Proposer (and its parent entity, if it is a subsidiary). If the Proposer intends to create a separate entity solely for the purpose of developing the proposed project, then each partner or stockholder or member should describe their respective legal organizational structure.
 - b. Identification of the Proposer's principals, partners, officers, or co-venturers, including names, addresses, telephone and fax numbers, and social security and federal business identification numbers.

- c. Information concerning the relevant experience of the Proposer and key project personnel, including a listing and description of past projects.
 - d. A minimum of three (3) professional references.
- 11. The CRA will require a buy-back provision to be negotiated as part of the final contract in the event the purchaser fails to complete its obligations for the commencement of the project within an agreed upon time.
 - 12. The Proposer must submit the number of parking spaces their project intends to provide and the extent to which the spaces might be available to the public, either during peak hours and/or off-peak hours. If public parking will be constructed, then the proposal should state the terms and conditions that are expected of the Town or CRA, including financial participation, parking management or other issues.
 - 13. The CRA will not consider any proposals that would seek ad valorem tax exempt status from any taxing authorities at any time for either part or for the whole of the intended project.

P. Selection Criteria

Factors that the CRA will use in evaluating proposals include, but are not limited to, the following:

- 1. The qualifications (experience and capabilities) and financial capacities of the proposer as they would indicate its ability to complete the project.
- 2. The prospects for market and financial feasibility of the proposed project.
- 3. The level of commitment of financing sources.
- 4. The potential tax revenues generated by the project.
- 5. The economic impact to other businesses in the downtown.
- 6. The number and character of new jobs created by the project.
- 7. The number of parking spaces created and their availability for public use.
- 8. The extent to which the mix of the proposed land uses supports the other land uses in the downtown.
- 9. The quality of site planning and building design proposed for the project.

Q. Proposals and Disposition Process

Sealed proposals must be filed with the Town of Davie Purchasing Department whose offices are located at 6591 Orange Drive, Davie, Florida 33314-3399 no later than 2:00 P.M. (EST), Tuesday, June 8, 2004. Proposals shall remain irrevocable for a period of one hundred twenty (120) days thereafter. The Selection Committee will review all proposals files and evaluate the same as to the merit for a successful development project in conformity with the selection criteria listed above and the redevelopment philosophy described in the CRA Redevelopment Plan. In the event the Selection Committee determines that one or more of the proposals is feasible and is acceptable to further the CRA's redevelopment goals in conformity with the CRA Redevelopment Plan, the Selection Committee may rank the acceptable proposals and elect to invite short listed firms to give an oral presentation to the Selection Committee. Following the oral presentations, the Selection Committee will rank the proposers. The Selection Committee's rankings will be presented to the CRA Board and the Town Council for ratification.

The CRA reserves the right to negotiate such terms and conditions with the successful proposer as it deems in the public interest. In the event a contract is not negotiated to the CRA's satisfaction, the CRA may abandon such negotiation, and if it determines it appropriate, to then commence negotiations with the next ranked proposer.

All proposers should be familiar with the Florida Statutes Chapter 163.380 to which this RFP is subject.

Proposers are hereby notified that all information submitted as part of, or in support of, proposals will be available for public inspection after the opening of proposals, in compliance with Chapter 119, Florida Statutes, the "Public Records Law."

R. Right to Withdraw

FS 163.380 requires that once a contract is negotiated, the same must be filed with the Town of Davie Clerk with the Notice of Intent to award such contract thirty (30) days prior to the execution of such contract. The CRA specifically reserves the right to refrain from awarding a contract for the sale of any or all of the property to any person or entity and to withdraw from the process and/or negotiations at any time at its sole discretion. The CRA reserves the right to enter into a contract with any of the proposers on the basis of the impact on redevelopment by the proposed project in the CRA's sole discretion and not necessarily to the proposer offering the highest purchase price. The CRA expressly reserves the right to obtain economic feasibility studies and parking studies with regard to any or all of the subject proposals.

S. Minimum Offer

The CRA will not consider proposals for less than the appraised value of the property. A copy of the appraisal is available upon request for a fee of five dollars (\$5.00). The appraised values are indicated in Paragraph K.

T. Site Visits

Any interested party may arrange, by appointment, to visit the site with an official of the CRA. Please contact Will Allen, Redevelopment Administrator of the CRA, for an appointment by calling the telephone number, 954-797-2093, or by e mailing at will_allen@davie-fl.gov.

Directions to the site from Interstate 95 or the Florida Turnpike are as follows: take Interstate 595 West to the Davie Road exit, exit and drive south on Davie Road until you reach the intersection with SW 41st Street.

U. Other Data

The Town and CRA have conducted several important studies of the downtown including a market study by PMG Associates. These documents are available for review and purchase from the CRA at their office for a fee of twenty-five dollars (\$25.00).

V. Interpretations

Questions and inquiries concerning the proposal and specification of the solicitation shall be submitted in writing and directed to Herb Hyman, Procurement Manager, Town of Davie Purchasing Department, 6591 Orange Drive, Davie, Florida 33314-3399 for receipt no later than seven (7) calendar days prior to the date set for receiving proposals. Oral explanations, information, and instructions shall not be considered binding on the CRA. All prospective proposers are encouraged to independently verify the accuracy of any information provided. The CRA and the Town, or its agents or employees, shall not be responsible for the accuracy of any oral information provided to any proposer.

W. Pre-bid Conference

A pre-bid conference will be held on Wednesday, April 14, 2004 at 10:00 A.M. at the offices of the Davie CRA, located at 4700 Davie Road, Suite C, Davie, Florida 33314-3399. Other conferences may be held and any potential proposer who has registered its name with the Town of Davie Purchasing Department will be notified.

X. Registration and Addenda

All interested parties must register their name, address, and telephone number at the Town of Davie Purchasing Department office in order to receive notices, changes, and addendums concerning the RFP. A registration form will be supplied at the front desk of the Town of Davie Purchasing Department.

Y. Public Entity Crimes Information:

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as

a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may transact business with any public entity in excess of the threshold amount provided in Section 287.017, for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

Z. Discrimination:

Any entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid on a contract to provide goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit on leases of real property to a public entity, may not award or perform work as a contractor, supplier, subcontractor, or consultant under contract with any public entity, and may not transact business with any public entity.

AA. Registration of Lobbyists:

Firms or individuals who wish to contact any official of the Town outside of a pre-submission conference or written request for information procedure must first register with the Town Clerk as a lobbyist for this Request for Proposals. Failure to register before contracting any official will result in disqualification of the proposal and submissions will not be considered. Lobbying registration certificates (attached hereto) should be mailed to:

Town of Davie
Town Clerk
6591 Orange Drive
Davie, Florida 33314-3399

ORDINANCE NO. 98-44

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN CODE BY ADDING TO CHAPTER 2, ARTICLE IV, ENTITLED "REGISTRATION OF LOBBYISTS" REQUIRING DISCLOSURE OF THE IDENTITY AND ACTIVITIES OF PERSONS WHO ENGAGE IN EFFORTS TO INFLUENCE COUNCILMEMBERS EITHER BY DIRECT COMMUNICATION TO SUCH OFFICIALS OR BY SOLICITATION OF OTHERS TO ENGAGE IN SUCH EFFORTS; PROVIDING FOR DEFINITIONS; PROVIDING FOR LOBBYING REGISTRATION AND STATEMENTS; PROVIDING FOR CONDUCT OF PRINCIPALS AND TOWN COUNCILMEMBERS; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Davie determines and declares that open and responsible operation of municipal government requires that the fullest opportunity be afforded to the people to petition and freely express to their elected and appointed officials, their opinions on legislation and other actions and issues; and

WHEREAS, in order to preserve and maintain the integrity of the governmental decision making process, it is necessary that the identity and activities of certain persons who engage in efforts to influence Councilmembers either by direct communication to such officials or by solicitation of others to engage in such efforts be publicly and regularly disclosed.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That Chapter 2 of the Code of the Town of Davie is hereby amended by adding thereto Article IV to read as follows:

ARTICLE IV. REGISTRATION OF LOBBYISTS

Sec. 2-56 INTENT AND PURPOSE.

The Town Council of the Town of Davie determines and declares that, to maintain the integrity of the government decision making process, the Town of Davie Councilmembers, Staff and residents have a legitimate need to know certain information about the activities of "lobbyists", as defined in this ordinance. The Town Council also finds that "lobbying", as defined in this ordinance, is a legitimate form of free speech, which is frequently an important and necessary part of the legislative process. As such, this ordinance seeks to impose the least burden which is reasonably necessary on lobbyists, in order to satisfy this public need for information.

Sec. 2-57 **DEFINITIONS.**

- (a) "Candidate" means an individual who is conducting a campaign for a elected office in the Town of Davie, Florida.
- (b) "Campaign" means the election process for any elected Town Official whether opposed or not and whether a special or regular election, beginning with the date of officially filing for office with the Town Clerk and ending with the last day of voting which finally determines the outcome of the election.
- (c) "Economic consideration" means something of actual monetary value.
- (d) "Immediate family" means either a father, mother, sister, brother, child, spouse or person residing in the same residential unit.
- (e) "Legislation" means any ordinance, resolution, or proposal of any kind which is the subject of present or prospective action by the Town Council.
- (f) "Lobbying" means communicating directly or indirectly with any Town Councilmember for the Purpose of influencing legislation. Speaking at a public hearing or public meeting of the Town of Davie shall not constitute lobbying.
- (g) "Lobbyist" means a person who is employed or receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for the purpose of influencing governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. An employee of the principal is not a "lobbyist" unless the employee is principally employed for the purpose of influencing governmental affairs. "Principally employed for the purpose of influencing governmental affairs" means that one of the principal or most significant responsibilities of the employee to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government. The following persons are excluded from the definition of "Lobbyist":
 - 1. Persons who are solely responding to the direct inquiry of a Town Official.
 - 2. Town Officials acting in the course of official Town business.
- (h) "Ordinance" means the Town of Davie, Florida, Ordinance for the Registration of Lobbyists.
- (i) "Person" means any individual, business, corporation, association, partnership, governmental agency or other association recognized as a legal entity pursuant to Florida law.
- (j) "Principal" means the person for or upon whose behalf the lobbyist is lobbying.
- (k) "Registration" means providing the information required by this ordinance, in writing, annually, and in Supplements and Amendments, as may be required. "Register" means to provide a registration in such a manner.

(l) "Town" means the Town of Davie, Florida.

(m) "Town Official" means any current elected or appointed member of the Town Council, Official Town Board or Committee, Town Staff, Town Attorney or any Town Employee.

Sec. 2-58 REGISTRATION.

(a) Prior to engaging in lobbying activities, every lobbyist shall register with the Town by filing with the Town Clerk the following information in writing:

(1) The name, address and telephone number of the lobbyist is required on every annual, amended and supplemental registration. The "address" must be a physical address (e.g. not a Post Office Box) where the lobbyist either resides or customarily does business.

(2) The nature and extent of any business, professional or familial relationship which the lobbyist, or any member of the lobbyist's immediately family, has had with any Town Official, or member of the immediate family of any Town Official within the period of time commencing twenty-four (24) months prior to registration and extending through the date of registration. No disclosure would be required of any such relationship existing prior to the effective date of this ordinance.

(3) The nature and extent of any involvement, activity or assistance, whether paid or voluntary, by any lobbyist, or any member of the lobbyist's immediate family, with the current or the most recent campaign of any current elected Town official, or current candidate for Town Council.

(4) Name, address and phone number of the lobbyist's principal(s), if known at the time of registration. The "address" must be a physical address (e.g. not a Post Office Box) where the principal either resides or customarily does business.

(5) The general and specific matters upon which the lobbyist intends to lobby, if known at the time of registration.

(b) There shall be no fee charged by the Town to any lobbyist or lobbyist's principal for registration or lobbying pursuant to this ordinance.

(c) The registration information, and any supplement or amendment shall be filed in the Town Clerk's office. The registration must be signed by the lobbyist and attested to under penalty of perjury. The Town Clerk may approve a form of registration consistent with this ordinance, which shall be used in all cases, except where unavailable.

(d) Registration will be yearly, running from October 1st to September 30th of each year, and shall be renewed for each year during which lobbying activities are to take place. Only one annual registration form is required. However, if any of the information required in the registration form is new or changed (for example, a new principal, as defined by this ordinance, or a new specific subject of lobbying), then the Lobbyist must supplement or amend the registration before additional lobbying.

- (e) Notwithstanding any provision to the contrary in this Ordinance, no lobbyist shall be required to register only because the lobbyist has spoken at any public hearing or public meeting of the Town of Davie.

Sec. 2-59. CONDUCT OF PRINCIPALS AND OF TOWN COUNCIL.

- (a) Any principal who retains a lobbyist(s) in the Town shall take reasonable measures to supervise and monitor its lobbyist(s) to insure compliance with this Ordinance.
- (b) Any Councilmember who has actual knowledge and recollection of a lobbyist who fails to register as required in this Ordinance, or of a lobbyist who makes a material misrepresentation in Registration shall disclose same in writing to the Town Clerk as soon as reasonably practical. Failure to make such disclosure shall subject the Councilmember to a penalty as provided for in Section 2-61(a). Nothing in this section shall require any inquiry by any Councilmember to ascertain the compliance by any person with this Ordinance, nor does this section imply that any Councilmember is required to remember all of his or her past dealings with lobbyists.

Sec. 2-60. GENERAL CONSTRUCTION.

- (a) Examples and section headings are provided for clarity and for purposes of illustration only. Examples are not intended to imply that the illustration is the sole or exclusive possibility.
- (b) All language and terms in this ordinance shall be construed according to the definitions contained in the ordinance. If there is no explicit definition in this ordinance, then the language or term shall be construed according to the ordinary legal meaning in Florida; or if there is no ordinary legal meaning in Florida, then according to the ordinary and reasonable meaning to residents of the Town.
- (c) Lobbyist registrations must be true and accurate for matters of which the lobbyist has actual knowledge, or which the lobbyist may ascertain through reasonably diligent inquiry.

Sec. 2-61. PENALTIES.

- (a) A "Penalty" in this ordinance means the penalties specified in the Town of Davie Code of Ordinances, Section 1-9 ("General penalty; continuing violations"); or in the event said Section 1-9 is repealed or superseded, the general penalty specified by Town of Davie Code of Ordinances for violations of the Town of Davie Code of Ordinances. However, notwithstanding any language to the contrary in the general Code provisions for penalties, the maximum penalty for violation of this Lobbyist ordinance shall not exceed five hundred dollars (\$500.00). This ordinance shall be enforced by issuance of a notice to appear in County Court as authorized by Section 162.22, Florida Statutes, as it may be amended from time to time.
- (b) Any lobbyist who fails to register or willfully violates this ordinance shall be subject to a penalty, as provided in subsection (a) above; and additionally shall be subject to imposition by the Town Council of a prohibition of further lobbying in the Town for up to one year.

(c) Any Councilmember or Principal who knowingly and willfully directs or permits a lobbyist to violate this ordinance shall be subject to a penalty as provided in subsection 2-61(a).

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4. This Ordinance shall take effect sixty (60) days after its passage and adoption.

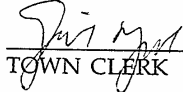
PASSED ON FIRST READING THIS 21st DAY OF October, 1998.

PASSED ON SECOND READING THIS 4th DAY OF November, 1998.



MAYOR/COUNCILMEMBER

ATTEST:


TOWN CLERK

APPROVED THIS 12th DAY OF November, 1998.

EXHIBIT 1
LEGAL DESCRIPTION

LOTS 23, 24, AND 25 OF "STONG PARK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46, PAGE 37 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AND THE EAST 150.00 FEET OF THE WEST 190.00 FEET OF THE SOUTH 100.00 FEET OF TRACT 30 OF "EVERGLADE LAND SALES CO. SUBDIVISION OF SECTIONS 27 AND 34 AND THE WEST 1/2 OF SECTIONS 26 AND 35, TOWNSHIP 50 SOUTH, RANGE 41 EAST, DADE COUNTY, FLORIDA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 34 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA AND CONTAINING 42,015 SQUARE FEET (0.965 ACRES) MORE OR LESS.

EXHIBIT 2
AUTHORIZATION FOR RELEASE OF INFORMATION

To Whom it May Concern:

The undersigned hereby authorizes you to release to the Davie Community Redevelopment Agency any information in your possession regarding the undersigned either of a professional credit or personal nature including the statement of your opinions with regard to the undersigned's professional credit and personal character.

By: _____

STATE OF FLORIDA
COUNTY OF BROWARD

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2004, by _____, who is personally known to me or who has produced _____, as identification, and did not take an oath.

Notary Public

Print Name: _____

Commission No.: _____

My Commission Expires: _____

(SEAL)

Name: _____

Home Address: _____

Home Telephone Number: _____

Business Telephone Number: _____

Fax Telephone Number: _____

Social Security Number: _____

Date of Birth: _____

Place of Birth: _____

Professional License Number: _____

**EXHIBIT 3
BROKER REGISTRATION FORM**

The Community Redevelopment Agency of Davie, Florida, ("Agency") owns property in Davie, Florida, as described in the attached exhibit, and intends to sell the property pursuant to a procedure known as a "Request for Proposal" wherein interested purchasers file an intent to acquire the property with the Agency. The Agency will advertise the sale on the property in 2003. The Agency is willing to pay a licensed real estate broker in the State of Florida a commission of 3% in the event the sale is consummated to such broker's client. The licensed real estate broker must register its client only on this form as stated below in order to receive a commission at closing; however, the Agency will not compensate a broker who has an interest as a purchaser or an interest in the purchaser's group.

_____ Broker	_____ Purchaser
Address: _____	Address: _____
_____ Telephone No.: _____	_____ Telephone No.: _____
State of Florida License No.: _____	
Date: _____	Date: _____

Acknowledged this _____ day of _____, 200__, by the Davie Community Redevelopment Agency.

Chairman
Davie Community Redevelopment Agency

EXHIBIT "4"

TOWN OF DAVIE LOBBYIST'S REGISTRATION
STATEMENT AND OATH

Registration will be annual, from October 1st to September 30th, and shall be renewed for each year during which lobbying activities are to take place. Only one annual registration form is required. If, however, any of the information required on the registration form is new or changed (for example, a new principal, as defined by Section 2-57 of Ordinance 98-44, or a new specific subject of lobbying), the Lobbyist must then supplement or amend the registration before additional lobbying. (Ordinance 98-44, Section 2-58(d))

LOBBYIST INFORMATION (Ordinance 98-44, Section 2-58(a)(1))

Name _____

Address _____

(must be a physical address (e.g. not a Post Office Box) where the lobbyist resides or customarily does business)

City _____ State _____ Zip _____

Telephone _____

Explain the nature and extent of any business, professional or familial relationship which the lobbyist, or any member of the lobbyist's immediate family, has had with any Town official, or member of the immediate family of any Town official within the period of time commencing twenty-four (24) months prior to registration or January 4, 1999, whichever is later, and extending through the date of registration. (Ordinance 98-44, Section 2-58(a)(2)).

Explain the nature and extent of any involvement, activity or assistance, whether paid or voluntary, by any lobbyist, or any member of the lobbyist's immediate family, with the current or the most recent campaign of any current elected Town official, or current candidate for Town Council. (Ordinance 98-44, Section 2-58(a)(3))

LOBBYIST'S PRINCIPAL(S) INFORMATION (Ordinance 98-44, Section 2-58(a)(4))

Name _____

Address _____
(must be a physical address (e.g. not a Post Office Box) where the principal resides or customarily does business)

City _____ State _____ Zip _____

Telephone _____

Explain the general and specific matters upon which the lobbyist intends to lobby, if known at the time of registration. If not known at time of filing, the registration must be supplemented when the matter is determined. (Ordinance 98-44, Section 2-58(a)(5))

I hereby acknowledge that I have received a copy of Ordinance 98-44, concerning registration of lobbyists and acknowledge that any violation of this Ordinance shall result in penalties as stated in said Ordinance.

I hereby attest and affirm under penalty of perjury, that the facts contained herein are true and correct. Further, I understand that I am required to notify the Town Clerk, in writing, of any changes to the information contained herein and that I am required to complete a lobbyist statement for each new principal or subject matter which occurs throughout the year.

Signature of Lobbyist

STATE OF FLORIDA)
) SS:
COUNTY OF _____)

Sworn to and subscribed before me this _____ day of _____, 19____ by
_____ who is personally known to me or who has produced
_____ as identification.

My Commission expires:

Signature of Notary

Name of Notary (typed or printed)